

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

RICHARD BOTCHWAY,
Defendant


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Criminal No. 05-40035-FDS

CERTIFICATION

The government has filed a notice of appeal of the district court's (Saylor, J.) June 8, 2006 Memorandum and Order on Motion to Suppress which granted the defendant Richard Botchway's motion to suppress physical evidence and related statements (docketed on June 8, 2006). Pursuant to 18 U.S.C. §3731, the United States Attorney hereby certifies to the district court that the appeal is not taken for the purpose of delay and that the evidence is a substantial proof of a fact material in the proceeding.

Respectfully submitted,


MICHAEL J. SULLIVAN
United States Attorney